

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

2007 MAY 17 AM 11:42

ROBERT LEE ALLEN,
PLAINTIFF,

v.

WILLIE VAUGHNER, et al.,
DEFENDANTS,

CIVIL ACTION NO. 2:07-CV-90-ID-WO

2:07-CV-85-WKW

MOTION FOR DISMISSAL OF DEFENDANT'S SPECIAL REPORT
AND ANSWER OR MOTION FOR EXTENSION OF TIME AND
MOTION FOR ISSUANCE OF SUBPOENA FOR AN ORDER
SO THAT PLAINTIFF CAN GET LEGAL DOCUMENTS COPIED

COMES NOW, the plaintiff, Robert Lee Allen, pro se,
IN the Above styled Cause and moves this Honorable
Court to GRANT AN ORDER FOR DISMISSAL OF Defendant's
Special Report And ANSWER OR FOR AN EXTENSION OF time
IN WHICH TO FILE UNCOPIED legal Documents to Respond
IN opposition to present sufficient legal cause AND FOR
AN ORDER that a Subpoena be issued Address to the
Autauga County Metro Jail, located at 136 N. Court
STREET, PRATTVILLE, AL 36067-3002,
COMMANDING them to Allow Robert Lee Allen,
the plaintiff ACCESS to their copy MACHINE

to MAKE Copies of legal Documents, so that plaintiff can respond back to the Courts, Robert Allen, the plaintiff respectfully ask this HONORABLE COURT to take jurisdiction in this MATTER, Robert Allen, will show the Court the Grounds to support these MOTIONS As follows:

The plaintiff would STATE to this HONORABLE Court, that IN ORDER to OVERCOME A Defendants Assertion of Qualified IMMUNITY, that the plaintiff Must demonstrate that at the time of the Alleged VIOLATION, the Contours of the Allegedly violated Rights were:

"Sufficiently Clear that A Reasonable Official would understand that what he / she was doing Violate(d) the laws and that particular Right."

The plaintiff, would State that by the time that he is done pleading this case, that he feels that he will have done just that, that he will have demonstrated that the Defendants Should have Reasonably Know what the laws were and what Rights he was violating.

IN the INSTANT case at BaR, the plaintiff AVERS to this HONORABLE COURT that he has plead Specific Facts, and that he has not Alleged MERE ALLEGATIONS as the Defendants Suggests, The plaintiff would Respectfully Request that this HONORABLE COURT Consider the Violation of the plaintiff's 4th AMENDMENT Right.

Robert Allen, the plaintiff, pro se, does not have A Law Degree, so he has to Ask the Court to Allow the Motion, And to decide what has to be Done by the Facts, that will be Shown to the Court by using the Defendant's Special Report And Answers, Because it does not Require the plaintiff to Mail Any OF these document's because the Court And the Defendants have Copies Already Robert Allen, pro se will show the Court "Reasonable Doubt And Facts" If the Honorable Court would listen And look And Read All that is shown to them Robert Allen, plaintiff Also have single copies of legal Document's that will show the Court that Plaintiff has been stating Facts Not Mere Allegation Robert Allen, can show Criminal Activity with some of these Document's Already IN the Courts possession And if Allowed plaintiff will show some through Defendant's Special Report And Answer.

Robert Allen, the plaintiff Respectfully Ask this HONORABLE Court to take jurisdiction IN this MATTER. Robert Allen, plaintiff will show the Court the grounds to Support this Motion

As follows:

1.) The plaintiff, Robert Allen, has submitted over (50) fifty Request to the Autauga County Jail STAFF to have his legal Documents copied And only got one Response And it was denied Robert Allen Sent that Request to the COURTS, And it was Returned back to the Autauga County Jail upon its Return for INSUFFICIENT AMOUNT OF 24¢ cent when it in fact contained only seven Sheets of paper upon its Return to the Autauga County Jail. The Jail STAFF open up My legal Mail And seen the Request that was inside that Denied Robert Allen, plaintiff, Access to the Jail Law Library And Denied me Access to their Copy Machine. That Request And ENvelope is IN MY Instant case file in MRS. DEBRA Hacketts the Clerk files I ASK the Court to Retrieve that Request FORM And Review it to be use in this cause. Robert Allen Also Ask ORALLY several, several times AFTER this Returned Request I haven't gotten NO Response thereafter

- 2.) Robert Allen, Plaintiff is incarcerated and Cannot Afford to pay the processing by U.S MAIL Service to send anyone on the outside to make Copies for him
- 3.) Robert Allen's Legal Mail is being open without him presence, And NEVER has Robert Allen sign for Any of his legal Mail. Robert Allen has Receive his legal Mail open up Already After being in the Jail Staff possession for up to (1) one week. Robert Allen write's down who delivers him legal Mail And the dates that he Receives All of his legal Mail Robert Allen is AFRAID to trust Anyone with his legal Documents because he only has one copy of some of these documents Most of these documents have to be copied And cannot be hand written to served as a Copy the Court will accept. Robert Allen has CONCRETE proof with these documents that are IN his possession.
- 4.) It is Already establish IN the Courts that I AM INDIGENT, and My Status has not changed.
- 5.) Plaintiff has Already establish the fact that their IS A Copy Machine At this Jail facility in Prattville, AL And was Denied.
- 6.) Plaintiff does not have sufficient means and is Actually UNABLE to pay the fees REQUIRED by the Clerk, Honorable Debra Hackett to make copies

- 7.) It is vital to the plaintiff defense to have access to this Copy Machine, plaintiff does not trust his legal Mail And legal Documents ~~lying~~ Laying Around IN the jail somewhere for several days
- 8.) ON (2) two occasion Robert Allen's Legal Mail was given to other INMates. (~~Look At Exhibit "A" and "B"~~)
- 9.) Access to the Copy Machine will keep the plaintiff From having to write down everything (2) two times in Order to keep this Instant case on track, And to Also cut down on his time in Responding back to the Courts IN A timely MANNER.
- 10.) Since Robert Allen, plaintiff does not have Access to A Copy Machine He Ask the courts to Allow him to use Defendant's Special Report And Answer As his Evidence since All parties have A Copy And it does not Require to be Mailed to Anyone. And they have been Before the Courts Already
- 11.) I want the Court to look At top sheet of the Defendant's Special Report And Answer, I want you to read the Introduction. It Reads Robert Allen was Arrested for Receiving Stolen PROPERTY First Degree UNTRUE, Robert Allen, the plaintiff was Arrested FOR theFT OF PROPERTY 1st (Look At Exhibit "C") And ("D") (The Warrant And Complaint)

12.) I want the Court to look At the INTRODUCTION
Again Now Read the dates it Reads October 10, 2007
that day is yet to come it is in the future

13.) I want the Court to Read the INTRODUCTION
where it says plaintiff was Returned to the
Lowndes County Jail IN JANUARY, 2007. UNTRUE
IN fact Robert Allen was Returned back to the
Lowndes County Jail ON OCTOBER 12, 2006
two day's After being Transferred to Autauga County
Jail ON the Defendant's Special Report And
Answer I want the Court to look Exhibit "1"
Now I want the Court to Read the ALABAMA
UNIFORM Arrest Reports, both of them
Now I want the Court to Read the Date of ARREST
one Reads 10-12-06 the date Robert Allen the
plaintiff Returned FROM Autauga County Jail
the other one Reads 08-08-06 the day that's
On The ARREST Warrant (Exhibit "C")

14.) Now I want the Court to ^{Look} At the Consolidated
Appearance BOND. It Reads Rec. Stolen property 1st
UNTRUE. Robert Allen, the plaintiff is charge
with Theft of property 1st Look At the Special
Report And Answer Look At (Exhibit 1) Now Read
the Consolidated Appearance Bond, (Look At Exhibit "C")
Arrest warrant) Read the Charge (Look At Exhibit 1
Read the Charge) 7 of 16

15.) Now I want the Court to look at the Consolidated Appearance Bond Again, Now look At the ~~top~~ top Right hand Corner where it (say) reads Case Number Notice that it is blank, No case NUMBER. Now I want the Court to think for A minute this Is the Bond I was told to sign And I would be Allow to go home but After Robert Allen sign Consolidated Appearance Bond he was handcuffed And driven to A Gas station ON the outskirts of MONTGOMERY And TRANSfered over too AN Autauga County Deputy Sheriff And driven back to the Autauga County Sheriff's office Robert Allen was never told he was under ARREST, And why he was being lock up IN Another County, Robert Allen was Release 2-7-07 FROM Lowndes County illegal under False Bond.
Suppose I told the Court that their is More issues with this Bond. I want the Court to Read the Bond where it states false statements are punishable as perjury. PLAINTIFF will expose those issues At A later time IN this Instant case I think the Court will want to know those issues.

16.) Now I want the Court to look at both case's, Case No 2:07-cv-90-1D-wc And 2:07-cv-85-wkw I want the Court to Look At All ~~the~~ of the Defendants Affidavits NONE of them have been STAMP with A Notary publix seal

17.) Now I want the Court specifically to look
At the Affidavit of Lakesha Bolling She did
not sign her Affidavit nor is it Notarize
her Affidavit is ~~not~~ Not Completed. ON case NO.
2:07-cv-90-ID-wc of the Defendant's Special Report

18.) I Don't Know About the Courts Affidavits but one
of Jeanette Cottrell Affidavit sheets is missing the
Middle one is Missing from her Affidavit, that was
(Sent) Mailed to plaintiff, Robert Allen (IMCOMPLETE)

19.) Now I want the Court to look At case NO. 2:07-
cv-90-ID-wc, I want the Court to look At Affidavit's
of Lenny Lee, I want the Court to look At (Exhibit "2")
Read both Affidavit's Plaintiff will explain what
to look for And Read I want the Court to Read the
first Affidavit without the Notary Seal. Read
Number (3) It Reads, After Lieutenant Jeanetta
Cottrell, Sergeant Lakesha Bolling, And I Confronted
INMATE Robert Allen,
Now Go to (Exhibit "2") Lowndes County Sheriff's
Office Incident Report, Now Read, the first, four
lines on this Notarize Sworn Statement with the
Notary publix Stamp Seal by Notary publix Stephanie
Jones on the 9th day of February 2007.
It Reads, ON 1-22-07 between 1:30 And 2:00PM MR
Robert Allen was escorted from the Dorm Cell that he
had been confined to by Me, INVESTIGATOR Lenny Lee.
SGT. L. Taylor And officer J. Cottrell to A

Holding cell in the booking area.

I want the Records to show that on one Affidavit it states that SGT. Lakesha Bolling escorted Robert Allen And on the other one with the Notary Seal stamp on it, it clearly states SGT L. Taylor escorted Robert Allen up to Booking Area, Along with Lt. J. Cottrell Now I want the Court to think for A minute we have to conflicting supposedly SWORN statements. Made under oath. Let the Court Records show that for the Records.

20.) Robert Allen the plaintiff, want Everything in this MOTION ON Record in A Court TRANSCRIPT so plaintiff can Retrieve for his other Instant Complaints that may arise At A later Date.

21.) Now plaintiff, Robert Allen, prose, would like the Court to Look At the Defendant's Special Report and ANSWER. Now I want (~~you~~) the HONORABLE Court to Look at (Exhibit "3") INMATES REQUEST FORMS

I want the Court to look At the top sheet with the dates of the REQUEST FORMS All out of ORDER And staple together so that the Court can't see a clear picture of the proper sequence's of An event unfolding

But Robert Allen the plaintiff, will Guide the Court through this Maze. But I want to Address LAURA GRESHAM Affidavit first because of the statements that pertain to these last And Lost REQUEST/GRIEVANCE FORMS that seem to have disappeared suddenly

I want the Court to Look At Affidavit of Laura Gresham/ Civil Action No 2:07-cv-85-WKW Defendant's Special Report And Answer. Look At page 2 Number 5 I want the Court to Read (Number "5" of page 2) Affidavit It Reads, At no time does Any Member of the jail Staff substitutes his or her judgement for the Medical judgement of Nurses, paramedics, or Doctors. Now I want the Court to Read Number (18) of Laura Gresham Affidavit Look where it Reads, The Doctor Also Recommended that he Receive an over-the Counter Medication, Metamucil. No prescription was filled for this Medication due to the fact that, as it is An over the Counter Medication Now I want the Court to Stop Reading for a moment and let your mind go back to what line Number (5) Read, I Do not have to Explain, Because the Court is smarter than Robert Allen You Already know, Now I want the Court to Look At (Exhibit "5") It Reads prescription for Robert Allen (dated 09-06-06) Now Look at the Date on the Doctor's prescription it Reads different, Now I want the Court to Look at where someone Alter the Doctor's Prescription And written in the words ("Do Not Fill") And Circle the Medicine the Doctor Prescribe for Robert Allen to take to improve his Medical condition Now Read All of the Request/Grievance's Robert Allen wrote when the Medicine that the jail substituted Did not work Robert Allen suffered badly.

Now What does this look like somebody's trying
to play Doctor without A Medical Degree Now I want to
Ask the Court is it Against the Law to Alter A Doctor's
Prescription the Court can Clearly see someone did in Fact
Alter the Doctor's prescription. Let the Court Records show
that for later use Now I want the Court to Turn to the
Next page of (Exhibit "5") I want the Court to Read
Do you see the other Medicine prescribe to be use by, Robert
Allen, the plaintiff, Nowhere, no you don't see it Because
someone other than the Doctor change his prescription
Now I want the Court to Look At (Exhibit "4") of the
Defendant's Special Report And Answer, Now I want the
Court to Read ReQuest/GRIevance Form Dated 9-06-06 I want
the Court to Examine the ReQuest Form GRIevance's All
of them for Signatures And Action ~~that was taken~~ taken
by the Jail Staff, Most of these ReQuest GRIevance Forms
Do not have A Receiving Officer signature's (No) Action was
taken on None of the ReQuest GRIevance's Forms, Robert Allen,
Notice None of his GRIevance Forms Are in this list on
his Instant Complaint these are All old Complaints I
want it on Record the Defendants did not submit All of
Robert Allen, the plaintiff GRIevances And ReQuest Forms
I want the Court to Reflect back to where All of the
Defendant's State IN All of their Affidavits that they know
Robert Allen, the plaintiff, GRIevances forms being submitted
the only one that close, And was pertaining to was

ReQuest/Grievance form Dated 9-19-2006 when Robert Allen Ask to speak to the Chief, on 9-7-2006 Robert Allen was bitten by A spider 2 times And NEVER Received Any Medical treatment Robert Allen was Denied, Robert Allen Submitted ReQuest/Grievance's Forms on Everything that to him I want the Court to look At how MANY Requests Robert Allen submitted when he did not go to the Bathroom to pass A Bowel Movement, Robert Allen believes in submitting ReQuest/Grievance's, when he is denied his Rights or wrong by the jail staff the incident's that occurred happen And Robert Allen treated them No different From the one's the defendant chose to use As their defense As you can see the Jail Staff Doesn't even bother signing. none of your Complaints I want the Court to take Notice that none of these Complaints was Returned back to Robert Allen. How can Robert Allen produce Any ReQuest Grievance Documents if they was never look at or sign how can the Court Accept Defendants words that Robert Allen Did not submit Any Grievance's Forms on his Instant Complaint The defendant's have showed the Court's through their own Evidence submitted to the Courts they don't sign nor take Action Robert Allen the plaintiff submitted Too Many Grievances, he cannot count them All but NEVER did the Jail Staff Respond back, I think Robert Allen has proven something is wrong here through Defendant's Special Report And Answers.

22.) I want the Court to look At the signatures on the Consolidated Appearance Bond (Look At Exhibit "1") Now I want the Court to take A Few Minutes And study the signatures of the Sheriff's, take A look At the Style in which its sign I want you to look At how ~~at~~ the letter's are straight neatly written, pay close Attention to how the last name is worded And seperated.

I, Robert Allen, the plaintiff, prose have in his possession A true copy of the Sheriff, Willie Vaughner signatures if you look At the writing that say's who can sign it

Reads (Approved by: judge/Magistrate /sheriff)

I want the Court to know Actually it looks As if both signatures was sign by the same person, Because I Also have A True copy of the Captain, Laura Gresham signature And it doesn't Match up And that's A Fact And that's what the court wanted And that's what I the plaintiff is going to show the Court with documents provided by the defendants themselves in the Defendant's

Special Reports And ANSWERS. Now I want the Court to look at both ~~specia~~ Defendant's Special Report

And ANSWER Now I want the Court to Look At

All of the AFFidavits signatures where the Captain LAURA Gresham And Sheriff Willie Vaughner has it doesn't take A Hand writing expert to see the difference in these signature's IN Fact

your signature ~~so~~ is of kind like A fingerprint

Laura Gresham was the Notary for All of the defendants I want the Court to look At how each of her signatures, Match up ~~do not one~~ of them look even close to being like the signature on the Consolidated Appearance Bond pay close Attention to how each signature ~~their~~ differant from each other

Now I want you to look At the Sheriff's last name (Look At the (V's) And (G's) And (H) in Vaughner) Look At how this Name is written straight up And down Motion Not slanted, I want All Attention focus on the Bond I want the Court to look At how the (H) in Vaughner And the (G) in Gresham lines straight up with each other suggesting its one of the same person that sign Now if Robert Allen can see it I know the Court can to The Reason I know for sure Because I Have A True Copy of Both Signatures, but I have no way to Make copies to send the Courts, unless this Honorable court GRANT IN plaintiff favor And GRANT what HE Request, I want the Court to know Robert Allen is Not A Hand written specialist he just know its A fact And A fact is A fact And these signature's Do not Match And since these documents have already been before the Courts they Are Considered Evidence to be use in the course of this Trial If this Motion is Granted plaintiff wish to start His Discovery process,

Match the Signatures up to the Consolidated Appearance Bond
Wherefore, premises considered, the plaintiff would
Respectfully Request that this Honorable Court not Allow
the Defendants to plead or claim Any of the Defenses
OR IMMUNITIES that he has stated IN his Response.

The plaintiff has Already proven by the Exhibits that
the Special Report has provided to this Honorable Court
that something is not Right somewhere, And thus there
Should be some Right to find out the truth to this
Matter.

Wherefore, the plaintiff would further Respectfully Request
that this Honorable Court GRAN AN ORDER IN his FAVOR
If not plaintiff has more Evidence ~~in his favor if not~~
To ADD to this cause if Allow to proceed. But plaintiff
want this INSTANT COMPLAINT To Reveal All the TRUTH
And plaintiff Has it

CERTIFICATE OF SERVICE

I certify that I have served A TRUE AND
CORRECT COPY OF the foregoing on the Defendants
Attorney DARYL L Masters By placing same
IN The Mail, 1st class, postage paid ON THIS 11th
Day OF May 2007.

Robert Allen
136 N. Court St
PRATTVILLE AL 36067-3002

5-11-2007

Prose Robert Allen

Robert Allen

STATE OF ALABAMA

LOWNDES COUNTY

DISTRICT COURT

AGENCY NUMBER: S

WARRANT NUMBER: WR 2006 000435.00
OTHER CASE NBR:

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

YOU ARE HEREBY COMMANDED TO ARREST ROBERT LEE ALLEN AND BRING HIM/HER BEFORE THE DISTRICT COURT OF LOWNDES COUNTY TO ANSWER THE STATE ON A CHARGE(S) OF:

THEFT OF PROP 1ST CLASS: B TYPE: F COUNTS: 001
AND HAVE YOU THEN AND THERE THIS WRIT WITH YOUR RETURN THEREON.

YOU WILL RECEIVE UNTO YOUR CUSTODY AND DETAIN HIM/HER UNTIL THE DAY OF _____, OR UNTIL LEGALLY DISCHARGED.

DATED THIS 09 DAY OF AUGUST, 2006.

BOND SET AT: (1) \$20,000.00 BOND TYPE: PROPERTY BOND
(2) _____
(3) _____*Ruby Jones*
JUDGE/CLERK/MAGISTRATE OF DISTRICT COURTCHARGES: THEFT OF PROP 1ST 13A-008-003 F FELONYNAME: ROBERT LEE ALLEN ALIAS:
ADDRESS: 1025 BLUEBERRY LANE ALIAS:
ADDRESS:
CITY: PRATTVILLE STATE: AL ZIP: 36067 0000
PHONE: 334 361 5408 EXT: 000

EMPLOYMENT:

DOB: 09/01/1964 RACE: B SEX: M HAIR: BLK
EYE: BRO HEIGHT: 6'03" WEIGHT: 185
SID: 0000000000 SSN: 267755691 DL NUM:

E X E C U T I O N

EXECUTED THE WITHIN WARRANT BY ARRESTING THE DEFENDANT AND
 PLACING DEFENDANT IN THE LOWNDES COUNTY JAIL
 RELEASING DEFENDANT ON APPEARANCE BONDTHIS 8th DAY OF AUGUST 2006

SHERIFF

BY

COMPLAINANT: AGENT MATT BOWMAN
C/O ABI
301 S. RIPLEY STREET
MONTGOMERY AL 36104

OPERATOR: RUJ DATE: 08/09/2006

RECEIVED

AUG 09 2006

SHERIFF
LOWNDES COUNTY

A BAMA JUDICIAL INFORMATION SYSTEM

* * * IN THE DISTRICT COURT OF LOWNDES COUNTY * * *

AGENCY NUMBER: S

WARRANT NUMBER: WR 2006 000435.00
OTHER CASE NBR:

C O M P L A I N T

BEFORE ME THE UNDERSIGNED JUDGE/CLERK/MAGISTRATE OF THE DISTRICT COURT OF LOWNDES COUNTY, ALABAMA, PERSONALLY APPEARED AGENT MATT BOWMAN WHO BEING DULY SWORN DEPOSES AND SAYS THAT HE/SHE HAS PROBABLE CAUSE FOR BELIEVING, AND DOES BELIEVE THAT ROBERT LEE ALLEN DEFENDANT, WHOSE NAME IS OTHERWISE UNKNOWN TO THE COMPLAINANT, DID WITHIN THE ABOVE NAMED COUNTY AND

ON OR ABOUT 8/8/06, KNOWINGLY OBTAIN OR EXERT UNAUTHORIZED CONTROL OVER:

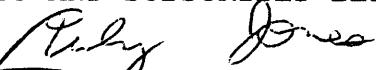
(X) A MOTOR VEHICLE, TO-WIT: 1980 FORD 150, THE PROPERTY OF, TO-WIT: JOHN FARRIOR, WITH THE INTENT TO DEPRIVE THE OWNER OF THE SAID PROPERTY!

IN VIOLATION OF 13A-008-003 OF THE CODE OF ALABAMA, AGAINST THE PEACE AND DIGNITY OF THE STATE OF ALABAMA.



COMPLAINANT'S SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 09 DAY OF AUGUST, 2006.



JUDGE CLERK MAGISTRATE OF DISTRICT COURT

CHARGES: THEFT OF PROP 1ST 13A-008-003

F FELONY

WITNESS FOR THE STATE

AGENT MATT BOWMAN/C/O ABI/301 S. RIPLEY STREET/MONTGOMERY/36104

OPERATOR: RUJ DATE: 08/09/2006

TO: THE UNITED STATES MAIL BOX, AL 36101-0711
MAIL JAIL UNIT P.O. BOX 110711, MONTGOMERY, AL

OFFICES OF HONORABLE JUDGES

CLERK'S OFFICE
DEBRA HACKETT
DISTRICT COURT

36101-0711

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